UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,129	07/29/2003	Thomas P. Dawson	SON5180.25A	6697

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EXAMINER
BUI, KIEU OANH T

ART UNIT	PAPER NUMBER
2611	

DATE MAILED: 05/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
		10/630,129	DAWSON ET AL.
Office Action Summary		Examiner	Art Unit
		KIEU-OANH T. BUI	2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-35* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-35* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
> *(e) the invention was described in (1) an application for patent, published under section*
> *122(b), by another filed in the United States before the invention by the applicant for*
> *patent or (2) a patent granted on an application for patent by another filed in the United*
> *States before the invention by the applicant for patent, except that an international*
> *application filed under the treaty defined in section 351(a) shall have the effects for*
> *purposes of this subsection of an application filed in the United States only if the*
> *international application designated the United States and was published under Article*
> *21(2) of such treaty in the English language.*

2.   Claims 1-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Reisman (U.S.

Patent Pub No. 2003/0229900 A1).

Regarding claim 1, Reisman discloses "an apparatus for accommodating a fast change of

digital streaming formats or sources in a video server system connected to one or more video

display devices over a communications link" (Figs. 1, 2A & 2B, and page 14, par. 0098 for a

home system for receiving digital streaming media connected to a plurality of display devices-

also illustrated in Fig. 3, and streaming formats in various forms, refer to page 11, par. 0077 to

par. 0081 for different kinds of streaming formats and forms for video and audio including still

images; for video servers, refer to page 6, par. 0048; and a communication links, refer to Fig. 1

and page 12, par 0087 for communication network protocols), comprising: "a video stream

controller; and means associated with said video stream controller for allowing the format or

source of a digital video stream to change without breaking the communications link to the video

display device" (Fig. 2B, controller 260 for allowing different kinds of formats are delivered to a

plurality of display devices without any interruption, refer to page 14, par. 0100 for the

controller, and page 17, par. 0122 for different formats can be displayed on the display device as

shown in Fig. 3).

As for claim 2, Reisman further discloses "wherein said means comprises: a source

control library; and a streaming library; wherein said stream controller is connected between said

source control library and said streaming library; and wherein the communications link between

an interconnected video display device and the streaming library does not change in response to

a video source or video format change" (page 30, par. 0219 as the media server comprises a

library for management; and Fig. 2B, controller 260 for allowing different kinds of formats are

delivered to a plurality of display devices without any interruption, refer to page 14, par. 0100

for the controller, wherein the controller connects to the locally stored server for media retrieval

and management, and the connection is uninterrupted as noted in claim 1).

As for claim 3, Reisman discloses "wherein the source control library comprises: a source

route selection module; and a plurality of media sources connected to the source route selection

module; wherein the source route selection module selects which media source provides data to

the stream controller" (pages 12-13, par. 0088 for the use of gateways, routers, or network nodes

for route selections on sources, and page 17, par. 0116 for modules adapted to connect to the

gateways, routers and/or network nodes as explained earlier in Fig. 1 and page 14, par. 0098 for

home network connection or LAN connections).

As for claim 4, Reisman discloses "wherein said media sources comprise at least two of the following: an analog video source; an Ethernet streaming video source; and a hard disk drive" (page 11, par. 0078 for video data source in both analog and digital form; page 12, par. 0087 for Ethernet as for a source transmission; and page 17, par 0118 for hard disk drive for storing contents and it becomes one of content resources).

As for claim 5, Reisman further discloses "wherein said media sources comprise a plurality of analog video sources, and further comprising: a plurality of analog video decoders, each analog video decoder connected to a respective analog video source; an analog source router multiplexer connected to the analog video decoders; and a plurality of digital compression encoders connected between the analog source router multiplexer and the source route selection module" (page 16, par. 0112 for analog decoder as CODECs, multiplexors, and digital decoders as MPEG-2 decoders with a number of modules).

As for claim 6, Reisman discloses "wherein at least one of said media sources comprises an Ethernet streaming video source, and further comprising: an Ethernet streaming video interface connected between the Ethernet streaming video source and the source route selection module" (page 14, par. 0098 for home network uses streaming media, internet, servers and so on; and using interfaces as noted in page 17/par. 0116 and page 19/par. 0133 for a browser to the user so that the user can interact and request media information to the system; and page 12/par. 0087 as Ethernet is one of transmission network protocols).

As for claim 7, Reisman discloses "wherein at least one of said media sources comprises an audio/visual hard disk drive" (refer to claim 4 above), and "further comprising: a personal video recorder/file playback module connected between the hard disk drive and the source route selection module" (page 4-5/par. 0039 for a VCR or recorder, and page 5/par. 0060 for a personal video recorder PVR for recording and playback capability).

As for claim 8, Reisman discloses "wherein the stream controller comprises: a streaming module interface package connected to the source route selection module" (Fig. 2b, item 260 is a controller/a set top box containing module interface for interfacing to other route source module, and as illustrated in Fig. 5 for interface module to other module, refer to page 19/par. 0133).

As for claim 9, Reisman further discloses "wherein the stream controller further comprises: a universal plug and play (UPnP) software stack connected to the streaming module interface package; and wherein the network display terminal accesses the UPnP software stack via a network connection" (page 7/par. 0055 for software tasks, and page 17/par 0116 for Universal Plug and Play UPnP).

As for claim 10, Reisman discloses "wherein the streaming library comprises: at least one real time streaming protocol/real time transport protocol (RTSP/RTP) streaming module connected to the streaming module interface package" (page 12/par. 0087).

As for claims 11 and 12, Reisman discloses "wherein the streaming library further comprises: at least one hypertext transfer protocol (HTTP) streaming module connected to the streaming module interface package" and "wherein the streaming library further comprises: at least one user datagram protocol (UDP) streaming module connected to the streaming module interface package" (page 12/par. 0087 for HTTP, UDP, RTP and other protocols are used within the system).

As for claim 13, Reisman further discloses "wherein the network display terminal is connected to at least one of: the RTSP/RTP streaming module, the HTTP streaming module, and the UDP streaming module" (refer to claims 10-12 above, with the set top box acts as the controller in providing user interfaces to other devices, modules, nodes, gateways, routers and so on, refer to page 14/par. 0098 & 0100 using all kinds of streaming modules with streaming protocols as noted in page 12/par. 0087, for providing metadata as noted in page 13/par. 0089).

Regarding claims 14-25, these claims for "an apparatus for accommodating a change of digital streaming formats or sources in a video server system, comprising: a source control library; a streaming library; and a stream controller connected between the source control library and the streaming library; wherein a connection between a network display terminal and the streaming library does not change in response to a video source or video format change.

15. An apparatus as recited in claim 14, wherein the source control library comprises: a source route selection module; and a plurality of media sources connected to the source route selection module; wherein the source route selection module selects which media source provides data to the stream controller" with same limitations as addressed are rejected for the reasons given in the scope of claims 1-13 as clearly discussed and explained above.

As for claim 26, Reisman discloses "a method for managing video streams provided by a home video server, comprising: receiving a request for streaming content from a network display terminal; selecting a first stream source for the streaming content; establishing a streaming protocol connection with the network display terminal; packetizing the streaming content from the first source; transmitting packetized streaming content to the network display terminal; and maintaining the streaming protocol connection with the network display terminal when a second stream source is selected" (refer to claim 1 above, with the packetizing the streaming content is also taught by Reisman, as in page 66, par. 0600 for IP packets are tunneling through cable/VOD protocols addressed).

As for claims 27-34 and claim 35 for "a home video server system, comprising: a home video server; at least one network display terminal connected to the home video server; means for receiving a request for streaming content from the network display; means for selecting a stream source for the streaming content; means for establishing a streaming protocol connection with the network display terminal; and means for maintaining an established streaming protocol connection with the network display terminal when the stream source or format changes" with same limitations as addressed earlier are rejected for the reasons given in the scope of claims 1-13 as clearly discussed and explained above.

Conclusion

3.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rakib (6,889,385), DeMoney (6,721,789) and Neel (5,838,314) disclose systems related to home video network and method for managing video streams.

4.   **Any response to this action should be mailed to:**

    Commissioner of Patents and Trademarks
    Washington, D.C. 20231

or faxed to:

(703) 872-9306, (for Technology Center 2600 only)

5.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Kieu-Oanh Bui whose telephone number is (571) 272-7291. The examiner

can normally be reached on Monday-Friday from 9:00 AM to 6:30 PM, with alternate Fridays

off.

    If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Christopher Grant, can be reached on (571) 272-7294.

    Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

                                    Krista Bui
                                    Primary Examiner
                                    Art Unit 2611

KB
May 11, 2005